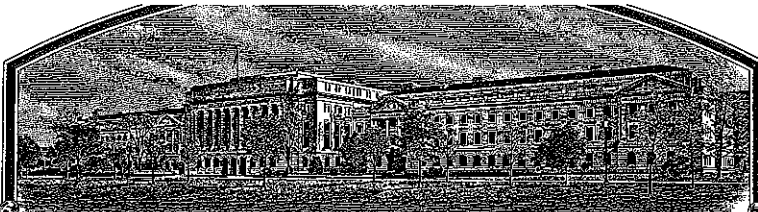


No.

200600239



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Syngenta Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Postrock'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this sixth day of December, in the year two thousand and six.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Syngenta Seeds, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BC95811-7-4		3. VARIETY NAME Postrock	
4. ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 6515 Ascher Road Junction City, Kansas 66441		5. TELEPHONE (include area code) 785-210-0218		FOR OFFICIAL USE ONLY PVPO NUMBER 200600239 FILING DATE July 13, 2006	
		6. FAX (include area code) 785-210-0231			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware		9. DATE OF INCORPORATION 2000	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Dr. Rollin Sears 6515 Ascher Road Junction City, Kansas 66441				FILING AND EXAMINATION FEES: F E E S R E C E I V E D DATE 7/13/06 @ 730.00 CERTIFICATION FEE: \$ 768.00 DATE 10/13/2006	
11. TELEPHONE (Include area code) 785-210-0218		12. FAX (Include area code) 785-210-0231		13. E-MAIL rollin.sears@agrip.com	
14. CROP KIND (Common Name) Hard Red Winter Wheat		16. FAMILY NAME (Botanical) Gramineae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
15. GENUS AND SPECIES NAME OF CROP Triticum aestivum		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input checked="" type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input type="checkbox"/> NO (If "no", go to item 23)	
				21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
				22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER Dr. Rollin Sears			SIGNATURE OF OWNER Rollin Sears		
NAME (Please print or type) Dr. Rollin Sears			NAME (Please print or type) Rollin Sears		
CAPACITY OR TITLE R&D Manager		DATE 6/5/06		CAPACITY OR TITLE R&D Manager	
				DATE	

(See reverse for instructions and information collection burden statement)

will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initiated and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

200600239

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
(1) identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (*See Regulations and Rules of Practice, Section 97.103*).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

The variety 'Postrock' will be constituted from Breeders seed, and proceed through Foundation, Registered and Certified in succeeding generations. Generations which may be multiplied will be limited to Breeders seed, Foundation, Registered and Certified.

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Limited quantities of foundation seed were sold in October of 2005 in Kansas. Foundation and Registered seed stocks of Postrock will be available in the Fall of 2006 with Certified sales in 2007.

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (*See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.*)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A.

Origin and Breeding History of Postrock

Postrock was derived from the cross Ogallala/KSU94U261//Jagger (x95811) which was made at Kansas State University in 1995. Ogallala is a cultivar released by AgriPro in 1994, it was crossed with KSU94U261 which was derived from the cross Tam 107*²//PI355520/PI265008. PI355520 and PI265008 are accessions of *Triticum monococcum* and Tam 107 is a cultivar released by Texas A&M. The F₁ was then crossed with Jagger a cultivar developed and released in 1994 by Kansas State University. The final F₁ was grown in the greenhouse in 1995, the F₂ grown in the field in 1996 and F₃ seed harvested. A bulk sample of the F₃ seed was provided to Dr. John Moffatt of AgriPro for further selection and evaluation. The F₃ was grown at Nardin, OK in 1998 and bulked. The F₄ was planted at BellePlaine, KS in 1999 and heads selected. F₅ head rows were planted at Humboldt Creek, KS in 2000 and BC95811-7 was selected based upon improved disease resistance, short plant height, medium maturity and good stand-ability. In 2001 BC95811-7-4 was reselected for uniform leaf rust resistance. It was tested in AgriPro yield trials from 2002-2005. It was tested in the Southern Regional Performance Nursery in 2004 and 2006 under the selection number W03-20. Postrock is a hard red winter wheat.

In 2004 twenty-four 70' progeny plots were grown in Eaton, Colorado. These progeny plots were evaluated for phenotypic uniformity and were bulked harvested to produce 11,051 pounds of Breeders seed. In 2005 a 4.3 acre Breeders seed increase was grown in Eaton, Colorado which produced 17,652 pounds of Foundation seed.

Postrock has been uniform and stable since 2004. Less than 0.8% of the plants were rogued from the Breeders seed increase in 2005. Approximately 80% of the rogued variant plants were taller height wheat plants (8 to 15 cm), 5% were whited chaffed wheat plants and 5% were awnless wheat plants. Up to 0.8% variant plants may be encountered in subsequent generations.

Exhibit B.
Statement of Distinctness

Postrock most similar to the hard red winter wheat 'Jagger'. However it can be distinguished by the following characteristics:

- Postrock has a tapering head shape (Eaton, Colorado 2004; Lucerne, Colorado 2005). Jagger has a strap head shape (Lucerne, Colorado 2004-2005).
- Postrock has a middense head density (Eaton, Colorado 2004; Lucerne, Colorado 2005). Jagger has a lax head density (Lucerne, Colorado 2004-2005).
- Postrock has midlong glume length (Eaton, Colorado 2004; Lucerne, Colorado 2005). Jagger has a long glume length (Lucerne, Colorado 2004-2005).
- Postrock has a medium glume width (Eaton, Colorado 2004; Lucerne, Colorado 2005). Jagger has a wide glume width (Lucerne, Colorado 2004-2005).

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION
BELTSVILLE, MARYLAND 20705**

EXHIBIT C

**OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (*Triticum* Spp.)**

NAME OF APPLICANT(S) Syngenta Seeds, Inc.	TEMPORARY OR EXPERIMENTAL DESIGNATION BC95811-7-4	VARIETY NAME Postrock
ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 6515 Ascher Road Junction City, Kansas 66441		FOR OFFICIAL USE ONLY PVPO NUMBER 200600239

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.,

0	9	9
---	---	---

 or

0	9
---	---

) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _____ . Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1

1=Common
2=Durum
3=Club
4=Other (specify) _____

2. VERNALIZATION:

2

1=Spring
2=Winter
3=Other (specify) _____

3. COLEOPTILE ANTHOCYANIN:

1

1=Absent 2=Present

4. JUVENILE PLANT GROWTH:

2

1=Prostrate 2=Semi-erect 3=Erect

5. PLANT COLOR (boot stage):

2

1 = Yellow-Green
2 = Green
3 = Blue-Green

6. FLAG LEAF (boot stage):

1

1 = Erect 2 = Recurved

2

1 = Not Twisted 2 = Twisted

2

1 = Wax Absent 2 = Wax Present

7. EAR EMERGENCE:

0	0	0
----------	----------	----------

Number of Days (Average)

0	0
----------	----------

Number of Days Earlier Than

* _____

0	5
----------	----------

Same As

* _____

Number of Days Later Than

* **Jagger**

*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

8. ANTER COLOR:

1

1 = YELLOW 2 = PURPLE

9. PLANT HEIGHT: (from soil to top of head, excluding awns):

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0	8	0
---	---	---

cm (Average)

0	0
---	---

cm Taller Than

--	--

Same As

cm Shorter Than

* _____

* Jagger _____

* _____

10. STEM:

A. ANTHOCYANIN

1

1 = Absent 2 = Present

D. INTERNODE

1

1 = Hollow 2 = Semi-solid 3 = Solid

5

Number of Nodes

B. WAXY BLOOM

2

1 = Absent 2 = Present

E. PEDUNCLE

0

1 = Erect 2 = Recurved 3 = Semi-erect

0	0
---	---

cm Length

C. HAIRINESS (last internode of rachis)

2

1 = Absent 2 = Present

F. AURICLE

2

Anthocyanin 1 = Absent 2 = Present

2

Hair: 1 = Absent 2 = Present

11. HEAD: (At Maturity)

A. DENSITY

2

1 = Lax
2 = Middense (Laxidense)
3 = Dense

C. CURVATURE

2

1 = Erect
2 = Inclined
3 = Recurved

B. SHAPE

1

1 = Tapering
2 = Clavate
3 = Strap
4 = Other (specify) _____

D. AWNEDNESS

4

1 = Awnless
2 = Apically awnletted
3 = Awnletted
4 = Awned

12. GLUMES: (At Maturity)

A. COLOR

2

1 = White
2 = Tan
3 = Other (specify) _____

E. BEAK WIDTH

2

1 = Narrow
2 = Medium
3 = Wide

B. SHOULDER

4

1 = Wanting 2 = Oblique
3 = Rounded 4 = Square
5 = Elevated 6 = Apiculate
7 = Other (Specify) _____

F. GLUME LENGTH

2

1 = Short (ca. 7mm)
2 = Medium (ca. 8mm)
3 = Long (ca. 9mm)

C. SHOULDER WIDTH

2

1 = Narrow
2 = Medium
3 = Wide

G. WIDTH

2

1 = Narrow (ca. 3mm)
2 = Medium (ca. 3.5mm)
3 = Long (ca. 4mm)

D. BEAK

3

1 = Obtuse
2 = Acute
3 = Acuminate

13. SEED:

A. SHAPE

1

- 1 = Ovate
2 = Oval
3 = Elliptical

B. CHEEK

1

- 1=Rounded
2=Angular

C. BRUSH

2

- 1 = Short
2 = Medium
3 = Long

D. CREASE

1

- 1 = Width 60% or less of Kernel
2 = Width 80% or less of Kernel
3 = Width Nearly as Wide as Kernel

1

- 1 = Depth 20% or less of Kernel
2 = Depth 35% or less of Kernel
3 = Depth 50% or less of Kernel

E. COLOR

3

- 1 = White
2 = Amber
3 = Red
4 = Other (Specify) _____

F. TEXTURE

1

- 1 = Hard
2 = Soft
3 = Other (Specify) _____

G. PHENOL REACTION (See Instructions)

0

- 1 = Ivory
2 = Fawn
3 = Light Brown
4 = Dark Brown
5 = Black

H. SEED WEIGHT

N A

g/1000 Seed (Whole number only)

I. GERM SIZE

2

- 1 = Small
2 = Midsize
3 = Large

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14. DISEASE:

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

2	Stem Rust (<i>Puccinia graminis</i> f. sp. <i>tritici</i>)	Field 2	Leaf Rust (<i>Puccinia recondita</i> f. sp. <i>tritici</i>)	Field races
2	Stripe Rust (<i>Puccinia striiformis</i>)	Field 0	Loose Smut (<i>Ustilago tritici</i>)	
4	Tan Spot (<i>Pyrenophora tritici-repentis</i>)	0	Flag Smut (<i>Urocystis agropyri</i>)	
0	Halo Spot (<i>Selenophoma donacis</i>)	0	Common Bunt (<i>Tilletia tritici</i> or <i>T. laevis</i>)	
	Septoria nodorum (Glume Blotch)	0	Dwarf Bunt (<i>Tilletia controversa</i>)	
0	Septoria avenae (Speckled Leaf Disease)	0	Karnal Bunt (<i>Tilletia indica</i>)	
4	Septoria tritici (Speckled Leaf Blotch)	3	Powdery Mildew (<i>Erysiphe graminis</i> f. sp. <i>tritici</i>)	Field races
0	Scab (<i>Fusarium</i> spp.)	0	Snow Molds	
0	Black Point (Kernel Smudge)	0	Common Root Rot (<i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.)	
0	Barley Yellow Dwarf Virus (BYDV)	0	Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>)	
2	Soilborne Mosaic Virus (SBMV)	0	Black Chaff (<i>Xanthomonas campestris</i> pv. <i>translucens</i>)	
3	Wheat Yellow (Spindle Streak) Mosaic Virus	0	Bacterial Leaf Blight (<i>Pseudomonas syringae</i> pv. <i>syringae</i>)	
4	Wheat Streak Mosaic Virus (WSMV)		Other (specify) _____	
	Other (specify) _____		Other (specify) _____	
	Other (specify) _____		Other (specify) _____	
	Other (specify) _____		Other (specify) _____	

15. INSECT:

(0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

1	Hessian Fly (<i>Mayetiola destructor</i>)		Other (specify) _____
0	Stem Sawfly (<i>Cephus</i> spp.)		Other (specify) _____
0	Cereal Leaf Beetle (<i>Oulema melanopa</i>)		Other (specify) _____

ST-470-06 (4-03) designed by the Plant Variety Protection Office using Microsoft Word

15. INSECT: (continued)

(0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

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0

Russian Aphid (*Diuraphis noxia*)

☐

Other (specify)

0

Greenbug (*Schizaphis graminum*) "C"

☐

Other (specify)

0

Aphids

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

None

Exhibit D.
Additional Description of Postrock

Postrock is a hard red winter wheat developed by AgriPro for grain production. It was evaluated and tested under the experimental designations BC85811-7-4 and W03-20. Postrock is derived from the cross Ogallala/KSU94U261//Jagger made by Kansas State University in 1995. All selections and evaluations were done by AgriPro. Postrock has been evaluated in AgriPro, USDA regional and State Variety yield trials from 2002-2005. It has been stable and uniform since 2004. Postrock is a tall semidwarf variety in plant height, awned and has brown chaff at maturity. It has medium maturity and excellent straw strength. It has erect flag leaves and the spikes are mid-dense at maturity. Postrock is resistant to current central plains field races of stem rust, stripe rust and leaf rust. It is resistant to wheat soil-borne mosaic virus and tolerant to wheat streak mosaic virus and intermediate in response to wheat spindle streak mosaic virus. Postrock is tolerant to Speckled leaf blotch and tan spot. It is intermediate to powdery mildew, and is susceptible to Hessian Fly. Postrock is best adapted to the central and western high plains south of interstate 80.

Juvenile growth habit is semi-erect. Auricle anthocyanin and auricle hairs are present. Plant color at boot stage is dark green. Anther color is yellow. Flag leaf is erect and twisted at boot stage. Head shape is tapering and awned. Glume shoulder shape is square with an acuminate beak. Glume length is midlong and glume width is midwide. Chaff color is brown` at maturity. Seed shape is ovate with medium length brush hairs that occupy a large area of the seed tip. Seed crease depth is shallow and seed crease width is narrow. Seed cheeks are rounded.

AgriPro Milling & Baking Data 2002-2005

200600239

Year	Designation	Loc	Wht Prot	Fir Prot	Flr Yld	NHR D	Fir Hrd	ASH	PK Time	Peak HT	TOL	TR	ABS	Bake Mix Time	Bake Chart PKTime	Loaf VOL	Grain	Tex	Color
2004	BC950811-7-4	HK	14.7			49													
2004	BC950811-7-4	HK	11.5			39													
2004	BC950811-7-4	HK	12.5			49													
2004	BC950811-7-4	HK	13.3			55													
2004	BC950811-7-4	MK	13.7	12.7	66.7	85	128	0.430	2.75	5.00	695	7	62.0	3.50	3.3	995	5	4	3
2004	BC950811-7-4	SK	12.9	12.0	70.1	77	124	0.355	4.00	4.75	889	6	62.5	4.20	3.4	875	5	4	3
2004	BC950811-7-4	SK	14.3	13.5	68.1	65	128	0.343	4.25	4.75	1019	4	63.0	4.20	3.9	950	4	3	3
2003	BC950811-7-4	JS	10.3	9.0	65.7	74		0.378	2.50	4.75	792	6	57.5	2.80	2.3	880	5	4	3
2002	BC950811-7-4	GJ	15.0	13.9	69.5	60			3.25	4.75	788	5	65.0	3.00		1100	4	3	3
2004	Jagalene	HK	14.1			71													
2004	Jagalene	HK	14.2			75													
2004	Jagalene	HK	13.3			72													
2004	Jagalene	HK	14.8			69													
2004	Jagalene	HK	14.1			74													
2004	Jagalene	HK	14.3			70													
2004	JAGALENE	MK	14.0	13.0	66.2	95	158	0.485	3.25	5.25	732	7	65.0	3.50	3.3	975	5	3	3
2004	JAGALENE	SK	13.0	11.8	72.1	90	145	0.430	4.50	5.00	1145	4	65.0	5.10	4.7	950	5	3	3
2004	JAGALENE	SK	14.2	12.8	65.6	83	148	0.406	5.00	4.75	1155	4	66.0	5.00	4.8	995	5	3	3
2003	JAGALENE	JC	13.0	11.6	70.2	86		0.434	4.25	5.25	990	4	66.0	4.20	3.8	935	4	3	3
2003	JAGALENE	JS	11.1	10.1	69.5	78		0.419	4.00	5.25	1010	5	63.0	4.30	3.8	860	4	3	3
2002	JAGALENE	GJ	15.1	13.6	66.7	66			4.25	5.00	984	2	67.0	3.00		1060	4	3	4

Postrock (BC95811-7-4)**Agronomics & Disease characteristics****AgriPro rating****Source**

Barley Yellow Dwarf Virus: n/a	n/a	
Head scab: n/a	n/a	
Hessian Fly: susceptible	9	SRPN
Leaf Rust: resistant	2	AgriPro & SRPN
Stem Rust: resistant	1	SRPN
Stripe Rust: resistant	1	AgriPro & SRPN
Powdery Mildew: moderately susceptible	6	AgriPro
Septoria leaf blotch: moderately resistant	4	AgriPro & SRPN
Tan Spot: moderately resistant	4	AgriPro
Wheat soil borne mosaic virus: resistant	1	AgriPro & SRPN
Wheat spindle streak mosaic virus: intermediate	5	AgriPro
Wheat streak mosaic virus: moderately resistant	4	AgriPro
Acid Soil Tolerance: moderately susceptible	6	AgriPro
Coleoptile length: medium	5	AgriPro
Grazing potential: n/a	n/a	
Height: medium	4	AgriPro & SRPN
Maturity: medium	4	AgriPro & SRPN
Preharvest sprouting tolerance: good	4	AgriPro
Milling & baking quality: good	Good	AgriPro & SRPN
Protein: good	Good	AgriPro & SRPN
Seed size: average	Average	AgriPro & SRPN
Shattering reputation: very good	3	AgriPro
Straw strength: excellent	2	AgriPro & SRPN
Test Weight: excellent	2	AgriPro & SRPN
Winterhardiness: average	6	AgriPro & SRPN
Yield Potential where adapted: excellent		AgriPro

Rating: 1 = best score (resistant, short, strong straw, early, etc.), 9 = worst score (susceptible, tall, weak straw, late, etc.)

Average Heading & Plant Height notes from Junction City 2002-2005

	Heading (Julian)	Plant Height
(cm)		
Platte	131	78.0
Jagger	125	90.0
PostRock	130	85.0
NuGrain	131	78.0
Platte2	129	78.0

APPENDIX (AgriPro yield data 2002-2005)

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AgriPro Wheat

W03-20 Historical Performance Comparison

Central Plains 4 Year Analysis

Variety	2002 Yld	2002 Tw	2003 Yld	2003 Tw	2004 Yld	2004 Tw	2005 Yld	2005 Tw	Avg Yld	Avg TW
W03-20	50.5	56.6	103.7	61.2	59.3	61.6	56.4	58.7	67.5	59.5
CUTTER	50.8	57.1	#	#	59.2	61.3	53.0	58.0	54.3	58.8
JAGALENE	52.8	56.3	95.4	61.0	63.8	61.8	54.6	58.5	66.6	59.4
JAGGER	49.5	55.2	96.6	59.7	53.9	58.6	55.5	57.4	63.9	57.7
Averages	50.9	56.3	98.6	60.6	59.1	60.8	54.9	58.1	63.1	58.9

Western Plains 4 Year Analysis

Variety	2002 Yld	2002 Tw	2003 Yld	2003 Tw	2004 Yld	2004 Tw	2005 Yld	2005 Tw	Avg Yld	Avg TW
W03-20	38.0	54.9	48.5	54.7	54.3	60.3	56.2	57.9	49.2	56.9
JAGALENE	25.0	53.2	59.1	55.9	57.3	58.7	52.7	58.9	48.5	56.7
CUTTER	24.0	49.7			57.4	59.8	49.9	58.1	43.8	55.9
JAGGER	25.3	52.4	54.9	56.7	55.1	59.9	53.1	55.9	47.1	56.2
Averages	28.1	52.5	54.1	55.8	56.0	59.7	53.0	57.7	47.2	56.4

Western Plains (Irrigated) 4 Year Analysis

Variety	2002 Yld	2002 Tw	2003 Yld	2003 Tw	2004 Yld	2004 Tw	2005 Yld	2005 Tw	Avg Yld	Avg TW
W03-20	78.9	64.5	108.9	59.1	92.8	65.1	80.2	61.1	90.2	62.5
JAGALENE	88.2	63.8	126.7	61.4	93.9	65.6	75.4	60.7	96.0	62.9
CUTTER	95.1	63.8			86.4	63.1	74.2	60.9	85.2	62.6
JAGGER	83.3	62.8	106.7	61.0	85.0	63.7	76.7	60.1	87.9	61.9
Averages	86.3	63.7	114.1	60.5	89.5	64.4	76.6	60.7	89.8	62.5

* Central Plains locations:

Nardin, OK	Winfield, KS	Partridge, KS
Salina, KS	Belleville, KS	Everest, KS
Junction City, KS		
Western High Plains		
Quinter, KS	Goodland, KS	Manter, KS
Otis, KS	Paxton, NE	Sidney, NE
Irrigated Western Plains		
Paxton, NE	Hugoton, KS	Imperial, NE

Other Data on yield, agronomics, and disease available at USDA Regional Data base (Southern Regional Performance Nursery – 2004, entry W03-20)

Internet Link: <http://www.ars.usda.gov/aboutus/docs.htm?docid=4972>

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICEEXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Syngenta Seeds, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BC95811-7-4	3. VARIETY NAME Postrock
4. ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 6515 Ascher Road Junction City, Kansas 66441	5. TELEPHONE (include area code) 785-210-0218	6. FAX (include area code) 785-210-0231
	7. PVPO NUMBER 200600239	

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Please see following page.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

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Exhibit E.
Statement of the Basis of Applicant's Ownership

The variety for which Plant Variety Protection is hereby sought was developed by Dr. Rollin Sears, an employee of Syngenta Seeds, Inc. By agreement between employees and Syngenta, all rights to any invention, discovery, or development made by the employee while employed by Syngenta, were assigned to Syngenta Seeds, Inc., with no rights of any kind pertaining to 'Postrock' being retained by the employees.

The variety 'Postrock' is owned by Syngenta Seeds, Inc.